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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,444	04/23/2001	Frederic M. Newman	016	4848

7590

08/29/2003

Howrey Simon Arnold & White, LLP
Attn: Matthew F. Steinheider
750 Bering Drive
Houston, TX 77057-2198

EXAMINER

LE, TOAN M

ART UNIT

PAPER NUMBER

2863

DATE MAILED: 08/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,444

Applicant(s)

NEWMAN, FREDERIC M.

Examiner

Toan M Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6, 10-13, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Harvey et al..

Referring to claim 1, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, comprising: storing a well file at a first computer, wherein the well file includes information about the plurality of components of the well (col. 13, lines 29-45); transporting a second computer to the well site (figure 1); providing a wireless communication link between the first computer and the second computer (col. 5, lines 9-13); communicating the well file from the first computer to the second computer through the wireless communication link (col. 30, lines 8-11); changing one of the plurality of components of the well at the well site; inputting into the second computer a well file change that documents the step of changing one of the plurality of components of the well (col. 30, lines 20-23; figure 16); and making the well file change of the second computer accessible to the first computer through the wireless communication link (col. 30, lines 8-11).

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As to claim 6, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, wherein the plurality of components includes cement (col. 11, lines 27-30).

Referring to claims 10-12 and 15, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, further comprising accessing the well file from the well site by entering a well site identifier into the second computer by selecting from a plurality of well site identifiers displayed on the second computer, a company identifier that helps identify a company involved in changing one of the plurality of components of the well, a date that helps identify when one of the plurality of components is being changed (figure 16).

As to claim 13, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, further comprising updating the well file by incorporating the well file change into the well file (col. 19, lines 19-23; figure 16).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-5, 7-9, 14, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harvey et al. in view of Newman.

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Referring to claim 2-5, 7-9, and 14, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, comprising: storing a well file at a first computer, wherein the well file includes information about the plurality of components of the well (col. 13, lines 29-45); transporting a second computer to the well site (figure 1); providing a wireless communication link between the first computer and the second computer (col. 5, lines 9-13); communicating the well file from the first computer to the second computer through the wireless communication link (col. 30, lines 8-11); changing one of the plurality of components of the well at the well site; inputting into the second computer a well file change that documents the step of changing one of the plurality of components of the well (col. 30, lines 20-23; figure 16); and making the well file change of the second computer accessible to the first computer through the wireless communication link (col. 30, lines 8-11).

Harvey et al. do not mention a method of managing a well file record of a plurality of components of a well at a well site, further comprising causing an instrument to sense a part identifier of a component including an acid, sucker rod, and tubing by way of an electromagnetic field, which is a bar code, added to the well at the well site, wherein the part identifier is associated with a digital identification value, which represents an alphanumeric name; inputting the digital identification value into the second computer; and using the digital identification value as part of the well file change that helps identify which one of the plurality of components is being changed.

Newman discloses a method of managing a well file record of a plurality of components of a well at a well site (col. 2, lines 5-9), further comprising causing an instrument 62 (figure 1) to sense a part identifier of a component including an acid (col. 3, lines 10-11), sucker rod (col.

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2, lines 50), and tubing (col. 2, lines 51) by way of an electromagnetic field (col. 4, lines 19-22; figure 1), which is a bar code 54a (figure 1), added to the well at the well site, wherein the part identifier is associated with a digital identification value, which represents an alphanumeric name (col. 3, lines 34-38); inputting the digital identification value into the second computer 46 (figure 1); and using the digital identification value as part of the well file change that helps identify which one of the plurality of components is being changed (col. 3, lines 23-28; and col. 6, lines 18-27; figure 1).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have applied the method described above from the Newman reference into the method of Harvey et al. to save time and expedite the process of well service and maintenance.

As to claims 16-17, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, comprising: storing a well file at a first computer, wherein the well file includes information about the plurality of components of the well (col. 13, lines 29-45); transporting a second computer to the well site (figure 1); providing a wireless communication link between the first computer and the second computer (col. 5, lines 9-13); communicating the well file from the first computer to the second computer through the wireless communication link (col. 30, lines 8-11); accessing the well file from the well site by entering a well site identifier into the second computer (figure 16); changing one of the plurality of components of the well at the well site (col. 30, lines 20-23; figure 16); entering into the second computer a company identifier that helps identify a company involved in changing one of the plurality of components of the well (figure 16); making the well file change of the second

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computer accessible to the first computer through the wireless communication link (col. 30, lines 8-11); updating the well file by incorporating the well file change into the well file including a date that helps identify when one of the plurality of components is being changed (figure 16).

Harvey et al. do not mention the step of entering into the second computer a well file change includes a digital identification value that helps identify which one of the plurality of components is being changed.

Newman discloses a method of managing a well file record of a plurality of components of a well at a well site (col. 2, lines 5-9), comprising the step of entering into the second computer 46 a well file change includes a digital identification value that helps identify which one of the plurality of components is being changed (figure 1).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have applied the method described above from the Newman reference into the method of Harvey et al. to save time and expedite the process of well service and maintenance.

Referring to claim 18, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, comprising: storing a well file at a first computer, wherein the well file includes information about the plurality of components of the well (col. 13, lines 29-45); transporting a second computer to the well site (figure 1); providing a wireless communication link between the first computer and the second computer (col. 5, lines 9-13); communicating the well file from the first computer to the second computer through the wireless communication link (col. 30, lines 8-11); changing one of the plurality of components of the well at the well site (col. 30, lines 20-23; figure 16).

Harvey et al. do not mention the steps of witnessing the step of changing one of the plurality of components of the well at the well site; entering into the second computer information that indicates that the step of changing one of the plurality of components of the well at the well site has been witnessed; displaying on the second computer an access code of a limited useful life in response to entering into the second computer information that indicates that the step of changing one of the plurality of components of the well at the well site has been witnessed, wherein the access code allows the well file to be changed within the limited useful life of the access code; with the aid of the access code, changing the well file to reflect the step of changing one of the plurality of components of the well; and terminating the limited useful life of the access code after changing the well file.

Newman discloses a method of managing a well file record of a plurality of components of a well at a well site (col. 2, lines 5-9), comprising the steps of displaying on the second computer an access code of a limited useful life in response to entering into the second computer information that indicates that the step of changing one of the plurality of components of the well at the well site, wherein the access code allows the well file to be changed within the limited useful life of the access code; with the aid of the access code, changing the well file to reflect the step of changing one of the plurality of components of the well; and terminating the limited useful life of the access code after changing the well file (col. 5, lines 32-43).

Harvey et al./Newman do not mention the step of witnessing the step of changing one of the plurality of components of the well at the well site.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have applied the method described above from the Newman reference

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into the method of Harvey et al. including the step of witnessing the step of changing one of the plurality of components of the well at the well site for having a better security measurement to prevent unauthorized access into the system and to save time and expedite the process of well service and maintenance.

As to claim 19, Harvey et al. disclose a method of managing a well file record of a plurality of components of a well at a well site, comprising: storing a well file at a first computer, wherein the well file includes information about the plurality of components of the well (col. 13, lines 29-45); transporting a second computer to the well site (figure 1); providing a wireless communication link between the first computer and the second computer (col. 5, lines 9-13); communicating the well file from the first computer to the second computer through the wireless communication link (col. 30, lines 8-11); accessing the well file from the well site by entering a well site identifier into the second computer (figure 16); having a contractor change a component of the plurality of components (col. 30, lines 20-23; figure 16); entering into the second computer a company identifier that helps identify a company that helps identify the contractor involved in changing the component (figure 16); entering into the second computer a well file change that documents the step of having the contractor change the component of the plurality of components (col. 30, lines 20-23; figure 16) making the well file change of the second computer accessible to the first computer through the wireless communication link (col. 30, lines 8-11); and updating the well file by incorporating the well file change into the well file (figure 16).

Harvey et al. do not mention the step of entering into the second computer a well file change that documents the step of having the contractor change the component of the plurality of

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components, wherein the well file change includes a digital identification value that helps identify the component.

Newman discloses a method of managing a well file record of a plurality of components of a well at a well site (col. 2, lines 5-9), comprising the step of entering into the second computer a well file change that documents the step of having the contractor change the component of the plurality of components, wherein the well file change includes a digital identification value that helps identify the component (col. 3, lines 23-28; and col. 6, lines 18-27; figure 1).

Harvey et al./Newman do not mention having a second contractor with a second company identifier to enter into the second computer a second well file change that documents the step of having the second contractor change the second component of the plurality of the components, wherein the second well file change includes a second digital identification value that helps identify the second component.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have applied the method described above from the Newman reference into the method of Harvey et al. including having more than one contractor at the well site to perform those steps listed above consecutively to save time and expedite the process of well service and maintenance.

Remarks:

Response to Arguments

Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,864,772 to Alvarado et al. U.S. Patent No. 6,498,988 to Robert et al.

U.S. Patent No. 6,101,445 to Alvarado et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan M Le whose telephone number is (703) 305-4016. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (703) 308-3126. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0655.

Toan Le

August 21, 2003


John Barlow
Supervisory Patent Examiner
Technology Center 2800